

## **REMARKS**

### **I. Status of the Claims**

By this Amendment, claims 1-4 and 8 have been amended, claims 5-7, 9, and 10 have been canceled without prejudice or disclaimer of the subject matter thereof, and new claims 11-13 have been added. Thus, claims 1-4, 8, and 11-13 are pending.

### **II. Notice of Non-Compliant Amendment**

In the Notice of Non-Compliant Amendment, it was asserted that the “proposed deletions of five or fewer characters using strikethrough are not readily readable.” By this Corrected Amendment, Applicants have changed the indication of a deletion from a strikethrough to double brackets for all deletions of five or fewer characters, as suggested in the Notice. Applicants respectfully submit that this Corrected Amendment fully complies with the requirements of 37 C.F.R. § 1.121.

### **III. Claim Objection**

In the Office Action, claim 2 was objected to as containing a typographical error. By this Amendment, claim 2 has been amended to remove the erroneous term. Thus, Applicants respectfully submit that the objection has been overcome and should be withdrawn.

### **IV. Claim Rejection Under 35 U.S.C. § 101**

In the Office Action, claims 8-10 were rejected under 35 U.S.C. § 101 as allegedly being directed to non-statutory subject matter. In particular, it was asserted that the claims lack the “necessary physical articles or objects to constitute a machine or a manufacture” within the meaning of the statute.

By this Amendment, claims 9 and 10 have been canceled, thereby rendering the rejection moot with respect to those claims. Claim 8 has been amended to include physical computer hardware, as suggested in the Office Action. Thus, Applicants respectfully submit that the rejection has been overcome and should be withdrawn.

**V. Claim Rejections Under 35 U.S.C. § 103**

In the Office Action, claims 1-10 were rejected under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent No. 6,580,787 to Akhteruzzaman et al. ("the '787 patent") in view of U.S. Patent No. 6,618,763 to Steinberg ("Steinberg").

By this Amendment, claims 5-7, 9, and 10 have been canceled, thereby rendering the rejection moot with respect to those claims. With respect to claims 1-4, 8, and 11-13, as explained below, this rejection should be withdrawn.

The '787 patent teaches "integration of voice mail, email, fax and personal calendar systems for automatically providing an updated response to an incoming message as to the status, location, etc., of the person receiving the telephone call, email or fax." '787 patent at col. 1, lines 8-12. The system comprises a "calendar server" that is "periodically scanned for updating the response to incoming voice mail, email and fax messages upon a change in status, location, etc., of the person being called from a previous scan." Id. at lines 60-63.

The '787 patent fails to teach or suggest "locating the recipient in response to a user inquiry to the system, comprising generating a merged preference set by merging the recipient's delivery preference and the corporation's preference, and providing the updated scheduled location and the merged preference set to facilitate delivery of the message to the recipient at the updated scheduled location," as recited in claim 1.

For example, the '787 patent teaches providing updated status messages in response to incoming faxes (see col. 3, lines 44-49), voice mails (see col. 5, lines 35-38), and e-mails (see col. 6, line 66 to col. 6, line 2). However, the '787 patent provides no teaching of any sort of "user inquiry to the system," as claimed. Further, the '787 patent provides no teaching or suggestion of any preferences, much less "generating a merged preference set," as claimed.

Further, the '787 patent fails to teach or suggest a "component for locating the recipient in response to a user inquiry to the system, wherein the component is configured to generate a merged preference set by merging the recipient's delivery preference and the corporation's preference, and to provide the recipient's updated scheduled location and the merged preference set to facilitate delivery of the message to the recipient at the updated scheduled location," as recited in claim 8.

Steinberg teaches "unified messaging services which integrate voice messaging, email, and fax services into a single access point." Steinberg at col. 1, lines 56-58. A "virtual private wireless network" according to Steinberg includes "at least one wireless device" and an "intelligent information interconnect device." Id. at lines 59-61. The "information interconnect device includes a centralized directory database storing identifying information regarding the wireless devices, and further storing delivery preference hierarchy information for delivering content to the wireless devices." Id. at col. 1, line 64 to col. 2, line 1.

However, Steinberg fails to overcome the deficiencies of the '787 patent discussed above. For example, Steinberg provides no teaching or suggestion of a "user inquiry to the system," as claimed. Further Steinberg fails to teach or suggest

“generating a merged preference set” and “providing the updated scheduled location and the merged preference set,” as claimed.

Because the combined teachings of the ‘787 patent and Steinberg fail to teach or suggest Applicants’ claimed combination recited in independent claims 1 and 8, as required by M.P.E.P. § 2143, Applicants respectfully submit that a prima facie case of obviousness has not been established and that the rejection should be withdrawn.

Applicants respectfully submit that independent claims 1 and 8 are patentable over the references applied in the Office Action. Claims 2-4 and 11-13 depend directly or indirectly from claims 1 and 8 and therefore should be allowable for at least the same reasons the claims from which they depend are allowable.

#### **VI. Conclusion**

Applicants respectfully request that the Examiner reconsider this application, withdraw the claim rejections, and allow the pending claims in a timely manner.

Please grant any extensions of time required to enter this response and charge any additional required fees to our deposit account 16-1885.

Respectfully submitted,

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